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09/881,502	06/14/2001	Eric J. Horvitz	MS150900.12/MSFTP223USC	7769
27195 7590 09/05/2008 AMIN, TUROCY & CALVIN, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114				
EXAMINER KE, PENG				
ART UNIT		PAPER NUMBER		
2174				
NOTIFICATION DATE		DELIVERY MODE		
09/05/2008		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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# Office Action Summary

**Application No.**

09/881,502

**Applicant(s)**

HORVITZ, ERIC J.

**Examiner**

SIMON KE

**Art Unit**

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date: \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This action is responsive to communications: Amendment, filed on 2/19/08.

Claims 1-20 are pending in this application. Claim 1 is the independent claim. In the Amendment, filed on 2/19/08, claim 1 was amended.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aravamudan US Patent 6,301,609 in view of Stimmel US Patent 6,678,719.

As per claim 1, Aravamudan teaches a notification system, comprising:

a monitor that monitors likely available states of an entity (see col. 7, line 49-col. 8, line 31); and

a bounding system that classifies a notification to the entity according to a predefined protocol and the likely available states, the bounding system facilitating deferral of the notification based at least in part on the notification classification. (see col. 2, lines 25-49. col. 5, lines 53--col. 6, line 12, and col. 6, line 64col. 7, line 20)

However, Aravamudan fails to teach the bounding system establishes a group of notification associated with disparate likely available states and forwards the group of notification associated with the disparate likely available states to the entity based on an occurrence of a highest likely state affiliated with a least one notification included in the

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group of notifications, content of the at least one notification included in the group of notification is presented to the entity in its entirety, content of notifications associated with lesser likely states included in the group of notification is displayed for the entity as a summary.

Stimmel (US Patent 6,678,719) teaches the bounding system establishes a group of notification associated with disparate likely available states and forwards the group of notification associated with the disparate likely available states to the entity based on an occurrence of a highest likely state affiliated with a least one notification included in the group of notifications, content of the at least one notification included in the group of notification is presented to the entity in its entirety, content of notifications associated with lesser likely states included in the group of notification is displayed for the entity as a summary. (see Stimmel, col. 3, lines 50-col. 4, lines 15)

It would have been obvious to an artisan at the time of the invention to include Stimmel's teaching with method of Aravamudan in order provide each connected user with the instant ability to achieve contact including effective face to face contact and tools that provide the instant feedback expected in communication.

As per claim 2, Aravamudan and Stimmel teach the system of claim 1. Aravamudan further teaches wherein the bounding system is a subscription service provided at a notification source that enables users to tag notifications according to ,a predefined priority (see col. 6, lines 13-31, col. 7, line 49-col. 8, line 31, and col. 9, line 64-col.10, line 51).

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As per claim 3, Aravamudan and Stimmel teach the system of claim 2.

Aravamudan further teaches wherein the predefined priority is assigned based upon the happening of a condition (col. 7, line 49col. 8, line 31).

As per claim 4, Aravamudan and Stimmel teach the system of claim 2.

Aravamudan further teaches further comprising a subscription user interface to enable users to configure attributes of a notification (col. 6, lines 45-63 and col. 9, line 64-col. 10, line 51; it is inherent that a user interface is presented to the user because the user is allowed to configure attributes of a notification).

As per claim 5, Aravamudan and Stimmel teach the system of claim 4.

Aravamudan further teaches wherein the attributes are defined in .a notification schema (see col. 6, lines 12-31).

As per claim 6, Aravamudan and Stimmel teach the system of claim 5.

Aravamudan further teaches the notification schema further comprising at least one of a notification class, a source, a source assigned priority, a sender, a target, one or more content components, a relevant context, and advanced attributes (See col. 6, lines 12-31).

As per claim 7, Aravamudan and Stimmel teach the system of claim 5.

Aravamudan further teaches further comprising a preferences profile for assigning priority based upon settings in the notification schema (see col. 6, lines 12-31).

As per claim 8, Aravamudan and Stimmel teach the system of claim 7.

Aravamudan further teaches further comprising a notification preferences editor to enable users to configure the preferences profile (see col. 6, lines 45-63 and col. 9, line 64-col. 10, line 51; it is inherent that a user interface is presented to the user because the user is allowed to configure preferences profile).

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As per claim 9, Aravamudan and Stimmel teach the system of claim 8.

Aravamudan further teaches wherein the notification preference editor enables users to configure at least one of a context, a source type, a contact class, and a notification agent policy for directing received notifications (see col. 6, lines 45-63 and col. 9, line 64-col. 10, line 51).

As per claim 10, Aravamudan and Stimmel teach the system of claim 9.

Aravamudan further teaches wherein the context includes at least one of a calendar, time of day, and a device activity (see col. 7, line 49-col. 8, line 31).

As per claim 11, Aravamudan and Stimmel teach the system of claim 9.

Aravamudan further teaches wherein the source type includes at least one of a human contact and an automated alert (see col. 5, line 52-col. 6, line 31).

As per claim 12, Aravamudan and Stimmel teach the system of claim 9.

Aravamudan further teaches wherein the contact class includes at least one of key associates, family, and an InAddress Book (see col. 6, lines 45-63).

As per claim 13, Aravamudan and Stimmel teach the system of claim 1.

Aravamudan further teaches wherein the monitor derives context from at least one of a calendar, a time of day, a device activity, and a user location (see col. 7, line 49-col. 8, line 31).

As per claim 14, Aravamudan and Stimmel teach the system of claim 13.

Aravamudan further teaches wherein the monitor determines the likely available states from the derived context (see col. 7, line 49-col. 8, line 31).

As per claim 15, Aravamudan and Stimmel teach the system of claim 1.

Aravamudan further teaches wherein the likely available states are determined from ,at

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least one of an indication by the user, an office setting, an environment setting, an activity setting, and a driving setting (see col. 7, line 49-col. 8, line 31),

As per claim 16, Aravamudan and Stimmel teach the system of claim 1. Aravamudan further teaches further comprising a notification agent that directs notifications from one or more sources to one or more notification sinks based at least in part on the predefined protocol and the likely available states (see col. 5, line 52-col. 6, line 31).

As per claim 17, Aravamudan and Stimmel teach the system of claim 1. Aravamudan further teaches wherein the bounding system is a priorities system that automatically assigns priorities to notifications (see col. 7, line 49-col. 8, line 31 and col. 9, line 64-col. 10, line 51).

As per claim 18, Aravamudan and Stimmel teach the system of claim 17. Aravamudan further teaches wherein the priorities are assigned via a classifier (see col. 7, line 49-col. 8, line 31 and col. 9, line 64-col. 10, line 51).

As per claim 19, Aravamudan and Stimmel teach the system of claim 1. Aravamudan further teaches further comprising a max deferral setting that is associated with a notification priority to enable at least one of a delivery of the notification at a time-out of the max deferral, and deferral of the notification to the likely available free state (see col. 7, line 49-col. 8, line 31).

As per claim 20, Aravamudan and Stimmel teach the system of claim 19. Aravamudan further teaches further comprising a setting to enable designated notifications to at least one of be passed-through, and restricted during designated periods (see col. 5, line 52-col. 6, line 31).

***Response to Arguments***

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SIMON KE whose telephone number is (571)272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Peng Ke  
/Peng Ke/  
Primary Examiner, Art Unit 2174



